

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

CASSIUS CLAY, SR.,)	
)	
Plaintiff,)	
)	Civil Action No. 05-125E
v.)	Judge Sean J. McLaughlin
)	Mag. Judge Susan Paradise Baxter
TRACY REEVES, et al.,)	
)	
Defendants.)	

MOTION FOR SUMMARY JUDGMENT ON REMAINING RETALIATION CLAIM

AND NOW come the defendants, Tracy Reeves, Angie Marhefka, Jack Loughry, Sharon Burks, David Wakefield, Candis Brimmer and Jeffrey Beard, by their attorney, Mary Lynch Friedline, Senior Deputy Attorney General, and submit the following Motion for Summary Judgment on plaintiff's remaining retaliation claim, in accordance with this Court's Order of February 5, 2008.

1. By Order dated February 5, 2008, this Court granted defendants leave to file a motion for summary judgment as to plaintiff's remaining claim for retaliation.

2. For the reasons stated herein, and in the attached exhibits, supporting brief and concise statement of undisputed material facts filed herewith, no genuine issue of material fact remains and defendants are entitled to summary judgment as a matter of law with respect to plaintiff's retaliation claim.

WHEREFORE, it is respectfully requested that the Court grant defendants' Motion for Summary Judgment as to the remaining retaliation claim.

Respectfully submitted,

**THOMAS W. CORBETT JR.,
Attorney General**

By: /s/ Mary Lynch Friedline
MARY LYNCH FRIEDLINE
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5th Floor, Manor Complex
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Pittsburgh, PA 15219

Date: February 15, 2008

CERTIFICATE OF SERVICE

I hereby certify that on February 15, 2008, I electronically filed the foregoing ***Motion for Summary Judgment on Remaining Retaliation Claim*** with the Clerk of Court using the CM/ECF system. And I hereby certify that I have mailed the foregoing document by United States Postal Service to the following non CM/ECF participants:

Cassis M. Clay, Sr., DQ-5954
SCI-Pittsburgh
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By: /s/ Mary Friedline
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